

Similar Applications within the subject “V” Zone on the OZP

Approved Applications

	<u>Application No.</u>	<u>Proposed Use(s) / Development(s)</u>	<u>Date of Consideration (RNTPC)</u>	<u>Approval Condition(s)</u>
1	A/YL-TT/51	Temporary public car and lorry park for a period of 2 years	28.5.1999	(1), (3), (4), (6), (9)
2	A/YL-TT/119	Temporary public car and lorry park for a period of 3 years	21.9.2001 (revoked on 21.3.2002)	(1), (3), (6), (7), (8)
3	A/YL-TT/135	Temporary public car and lorry park for a period of 3 years	27.9.2002	(1), (3), (6), (7), (8), (9)
4	A/YL-TT/170	Proposed temporary public vehicle park for parking of private cars, light and medium goods vehicles for a period of 3 years	17.12.2004 (revoked on 17.9.2005)	(1), (3), (4), (5), (6), (7), (8)
5	A/YL-TT/185	Temporary public vehicle park (including private cars, lorries and container vehicles) for a period of 3 years	9.9.2005	(1), (3), (5), (6), (7), (8)
6	A/YL-TT/229	Temporary public vehicle park (private cars and lorries) for a period of 3 years	24.10.2008	(1), (3), (4), (5), (6), (7), (8), (9)

Approval Condition(s):

- (1) Submission and implementation of landscape proposal/maintain of existing trees.
- (2) Submission and implementation of water supplies for fire-fighting, emergency vehicular access and fire service installations proposal.
- (3) No Heavy Goods vehicles, container vehicles, tractors or are allowed to enter/be parked on the Site.
- (4) No vehicle without valid licences issued under the Road Traffic (Registration and Licensing of Vehicles) Regulations is allowed to be parked/stored on the Site.
- (5) No vehicle repairing, dismantling, car beauty or other workshop activities are allowed on the Site.
- (6) Submission and implementation of drainage proposal and maintenance of implemented drainage facilities.
- (7) Revocation of planning approval if any of the conditions is not complied with at any time or by the specified date.
- (8) Reinstatement of the Site to an amenity area upon the expiry of the planning permission.
- (9) The design and/or provision of run-in/out to the site within a specified time limit.

Rejected Application

	<u>Application No.</u>	<u>Proposed Use(s) / Development(s)</u>	<u>Date of Consideration (RNTPC)</u>	<u>Approval Condition(s)</u>
1	A/YL-TT/158	Temporary vehicle repair workshop, parking of private cars/lorries and mini-buses and storage of vehicle parts for a period of 3 years	17.7.2004	(1), (2), (3), (4)

Rejection Reason(s):

- (1) The proposed development was not in line with the planning intention of the “V” zone which was to designate both existing recognised villages and areas of land considered suitable for village expansion. No strong justification had been given in the submission for a departure from the planning intention, even on a temporary basis.
- (2) The proposed development was not compatible with the residential character in the surrounding areas.
- (3) There was no information in the submission to demonstrate that the proposed development would not generate adverse traffic impacts on the surrounding areas.
- (4) Approval of the application would set an undesirable precedent for other similar uses to proliferate into the "V" zone. The cumulative effect of approving such applications would result in a general degradation of the environment of the area.

Advisory Clauses

- (a) prior planning permission should have been obtained before commencing the applied use at the application site (the Site);
- (b) to resolve any land issues relating to the development with the concerned owner(s) at the Site;
- (c) to note the comments of the District Lands Officer/Yuen Long, Lands Department that the Site comprises Old Schedule Agricultural Lots held under the Block Government Lease which contains the restriction that no structures are allowed to be erected without the prior approval of the Government. The Site is accessible from Shui Tsiu San Tsuen Road via Government land (GL). Her office provides no maintenance work for the GL involved and does not guarantee any right-of-way over the GL to the Site. The lot owner(s) should apply to her office to permit the structures to be erected or regularise any irregularities on site, if any. Besides, given the proposed use is temporary in nature, only application for regularisation or erection of temporary structure(s) will be considered. No construction of New Territories Exempted Building(s) will be considered or allowed. Applications for any of the above will be considered by her department acting in the capacity as landlord or lessor at its sole discretion and there is no guarantee that such application will be approved. If such application is approved, it will be subject to such terms and conditions, including among others the payment of premium or fee, as may be imposed by her department;
- (d) to note the comments of the Commissioner for Transport that the land status of the access road/path/track leading to the Site from Shui Tsiu San Tsuen Road shall be checked with the lands authority. The management and maintenance responsibilities of the access road/path/track shall be clarified and consulted with the relevant management and maintenance authorities accordingly. Sufficient space should be provided within the Site for manoeuvring of vehicles. No parking of vehicles on public road are allowed;
- (e) to note the comments of the Chief Highway Engineer/New Territories West, Highways Department that if the proposed run-in is agreed by the Transport Department, the applicant should provide the run in/out at Shui Tsiu San Tsuen Road in accordance with the latest version of Highways Standard Drawing No. H1113 and H1114, or H5133, H5134 and H5135, whichever set is appropriate to match with the existing adjacent pavement. Adequate drainage measures should be provided at the site access to prevent surface water flowing from the Site to nearby public roads/drains. His department shall not be responsible for the maintenance of any access connecting the Site and Shui Tsiu San Tsuen Road;
- (f) to note the comments of the Director of Environmental Protection that the relevant mitigation measures and requirements in the latest “Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites” issued by the Environmental Protection Department should be followed to minimise any potential environmental nuisance on the surrounding area;
- (g) to note the comments of the Director of Fire Services that in consideration of the design/nature of the proposal, fire service installations (FSIs) are anticipated to be required. Relevant layout plans incorporated with the proposed FSIs should be submitted to his department for approval. The layout plans should be drawn to scale and depicted with dimensions and nature of occupancy. The location of where the proposed FSIs to be installed

should also be clearly marked on the layout plans. However, if the proposed structure(s) is required to comply with the Buildings Ordinance (BO) (Cap. 123), detailed fire service requirements will be formulated upon receipt of formal submission of general building plans; and

- (h) to note the comments of the Chief Building Surveyor/New Territories West, Buildings Department (BD) that if the existing structures (not being a New Territories Exempted House) are erected on leased land without the approval of the Building Authority (BA), they are unauthorised building works (UBW) under the BO and should not be designated for any proposed use under the application. For UBW erected on leased land, enforcement action may be taken by the BD to effect their removal in accordance with the prevailing enforcement policy against UBW as and when necessary. The granting of any planning approval should not be construed as an acceptance of any existing building works or UBW on the Site under the BO. Before any new building works (including containers/ open sheds as temporary buildings, demolition and land filling) are to be carried out on the Site, prior approval and consent of the BA should be obtained, otherwise they are UBW. An Authorised Person should be appointed as the co-ordinator for the proposed building works in accordance with the BO. The Site shall be provided with means of obtaining access thereto from a street and emergency vehicular access in accordance with Regulations 5 and 41D of the Building (Planning) Regulations (B(P)R) respectively. The Site does not abut on a specified street of not less than 4.5m wide, its permitted development intensity shall be determined under Regulation 19(3) of the B(P)R at the building plan submission stage.